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C O N F I D E N T I A L SECTION 01 OF 02 PARIS 000229

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DEPT FOR IO/HR:CMUSSER

E.O. 12958: DECL: 02/25/2020
TAGS: [PHUM](#) [PREL](#) [UNGA](#) [KPAL](#) [IS](#) [FR](#)
SUBJECT: GOLDSTONE DEMARCHE DELIVERED; FRANCE WILL LIKELY
SUPPORT A REVISED UNGA RESOLUTION

REF: STATE 15722

Classified By: Kathleen Allegrone, Minister Counselor, reason 1.4, b and d.

11. (C) SUMMARY: Despite the strong presentation of U.S. views, France believes the current Palestinian-drafted UNGA resolution on Gaza conflict human rights violations as "moderate" and likely helpful for restarting Israel-Palestinian discussions. The EU Presidency is negotiating with Palestinian authorities to modify the draft text. With those changes, France will likely vote in favor and will encourage the U.K. to act similarly. Without those changes, France could vote yes or abstain -- the decision rests with FM Kouchner. In the MFA's view, this resolution could strengthen PA President Abbas (who was in Paris on February 22) in a way that would encourage him to return to discussions with Israel. Additional Israeli follow-up on the Gaza violence would create a positive contrast to Hamas. France remains opposed to conferring this matter to the Security Council. END SUMMARY.

12. (C) Poloff delivered Ref A demarche on February 24 to MFA UN/IO officer Teymouraz Gorjestani, who covers UNSC Middle East issues. According to Gorjestani, it is the assessment of MFA Directors (Assistant Secretary equivalent) and technical experts that the resolution's text is "moderate" and deserves support. Spain, as the EU Presidency, is currently negotiating with the Palestinian delegation on certain minor modifications to the text (including eliminating the reference to the Geneva conventions and removing the five-month deadline for reporting) that would allow the Presidency to recommend EU member support. Regardless, Gorjestani believes the EU vote will not be uniform, but it is likely that the trend will be towards affirming the resolution ("positive evolution" in Gorjestani's words), with the majority of EU members voting in favor. If the text is modified, Gorjestani believes France will vote in favor rather than abstain, and France is consulting closely with the UK so that they will also vote yes. (Note: Gorjestani's claimed that the U.K. is "very unhappy" with Israel as a result of U.K. passports being implicated in the January 20 assassination of Mahmoud al-Mabhouh, and he indicated this was influencing U.K. decision-makers on this issue. End note.) If the text is not modified, France might still vote yes, or abstain. That said, the decision on voting instructions will be made by FM Kouchner.

13. (C) Gorjestani asserted that the draft resolution text is designed to generate broader support than the November resolution, particularly among moderate Muslim states, and perhaps contrary to the wishes of "hard-line" Arab countries,

particularly Syria. According to Gorjestani, the text is largely a "technical resolution," which does not directly refer to the Goldstone report, but rather asks for continued investigations of human rights violations and further reporting to the UN Secretary General. The text "goes as far as possible" to be even-handed by referring to the "obligations of all the parties," the conflict's impact on "all civilians," and the need to address "all violations."

¶4. (C) Tactically, France feels this resolution can be helpful in restarting the peace talks. PA President Abbas was "humiliated" by the November vote, and therefore needs "a success" that can improve his standing among Palestinians to allow him to enter negotiations with Israel. (Note: Abbas visited Paris on February 22, meeting with President Sarkozy and senior foreign policy officials; to be reported Septel. End note.) On the other hand, France believes Israel still has much to account for from the conflict, and it is in Israel's interest "to do more." France believes it was pressure from previous resolutions that convinced Israel to take some steps on accountability, and this resolution could add to that pressure in a positive manner. Gorjestani suggested that if Israel was serious about wanting Abbas to return to the negotiating table, they have to "give him something to work with," by undertaking serious internal investigations. Gorjestani admitted that Hamas would not follow suit, but in France's opinion, that does not diminish Israel's obligations, and, in fact, serious investigations by Israel will "strengthen its hand," in contrast to Hamas' unwillingness to be accept responsibility.

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¶5. (C) In Gorjestani's reading, this resolution does not indicate an obligation for the Security Council to take up the matter and France does not support Security Council action on this resolution or Goldstone-related action. However, in France's view, the UNGA is an appropriate forum. PEKALA